

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ESTERVINA PAULINO,

Plaintiff,

-against-

**DECLARATION OF  
MARY O'SULLIVAN**

07-CV-5773 (LAK) GWG

GLADYS CARRION, as Commissioner of the New York  
State Office of Children and Family Services, and  
THOMAS R. FRIEDEN, M.D., as Commissioner of the  
New York City Department of Health and Mental Hygiene,

(ECF case)

Defendants.

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**MARY O'SULLIVAN**, hereby declares, pursuant to 28 U.S.C. § 1746 and under  
penalty of perjury, as follows:

1. I am an attorney in the office of MICHAEL A. CARDOZO, Corporation  
Counsel of the City of New York and attorney for defendant THOMAS R. FRIEDEN, M.D.,  
Commissioner of the New York City Department of Health and Mental Hygiene (“DOHMH,”  
the “City Defendant”), and I am fully familiar with the facts and circumstances surrounding  
this action.

2. I submit this declaration to place the relevant information and documents  
on the record in support of the City Defendant’s Motion for Judgment on the Pleadings, pursuant  
to Rule 12(c) of the Federal Rules of Civil Procedure (“FRCP”) and motion for a stay of  
discovery, pursuant to Rule 26(c) of the FRCP, pending resolution by this Court of the motion  
for judgment on the pleadings.

2. Attached as Exhibit "A" is a copy of the Complaint in this action, which was filed with the Court on June 18, 2007.

3. Attached as Exhibit "B" is a copy of the City Defendant's Answer in this action, which was filed with the Court on August 17, 2007.

4. Attached as Exhibit "C" is a copy of the State Defendant's Answer in this action, which was filed with the Court on August 17, 2007.

3. Attached as Exhibit "D" is a copy of the Civil Docket Sheet in this action, as of January 3, 2008.

**WHEREFORE**, it is respectfully requested that this Court grant the City Defendant's motions, in their entirety.

Dated: New York, New York  
January 7, 2008

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City of New York  
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By: \_\_\_\_\_ /s  
Mary O'Sullivan (MO-8495)  
Assistant Corporation Counsel